

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

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In re Application of: Marin

Serial No.: 10/751,243

Confirmation No.: 3854

Filed: January 2, 2004

For: Catalyst Components and their use

in the Polymerization of Olefins

Mail Stop Appeal Brief-Patents Commissioner for Patents P.O. Box 1450

Dear Honorable Commissioner:

Alexandria, VA 22313-1450

Atty. Dkt. No.: COS-971

Group Art Unit: 1713

Cust. No.: 25264

Examiner: Lu

CERTIFICATE OF MAILING 37 CFR 1.10

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SUPPLEMANTAL REPLY BRIEF

Appellants submit this Supplemental Reply Brief to the Board of Patent Appeals and Interferences in response to the Supplemental Examiner's Answer dated November 2, 2007.

Response to Grounds of Rejection Not on Review

Applicants disagree with Examiner's assertion that the rejection of claim 12 under 35 U.S.C. §102(b) as being anticipated by Kaufmann is not under review. Appellants have appealed the rejection of claims 10 and 12 under 35 U.S.C. §102(b) as being anticipated by Kaufmann. (See, Reply Brief, Response to Arguments Section I.)

Conclusion

In conclusion, the references of record do not teach, show or suggest a compound wherein A is a cyclopentadienyl group, as recited in pending claim 10. Thus, Appellants respectfully request reversal of the rejection of claims 10 and 12.

Respectfully submitted,

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